



STATE OF CONNECTICUT  
JUDICIAL BRANCH

**STATEWIDE GRIEVANCE COMMITTEE**

Michael P. Bowler, *Statewide Bar Counsel*

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Judicial Branch Website: [www.jud.state.ct.us](http://www.jud.state.ct.us)

Attorney Patricia King  
Assistant Disciplinary Counsel  
100 Washington Street  
Hartford, CT 06106

Attorney Bruce Beck  
Beck & Eldergill, PC  
447 Center Street  
Manchester, CT 06040

RE: Grievance Complaint #05-0677, Breiter v. Beck

Dear Assistant Disciplinary Counsel and Respondent:

Pursuant to Practice Book §2-82(b), the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, has reviewed the *Conditional Admission and Agreement as to Discipline* (hereinafter “*Conditional Admission*”) filed May 3, 2006 and submitted for approval in the above referenced matter. After careful consideration of the *Conditional Admission*, the *Affidavit* of the Respondent submitted pursuant to Practice Book §2-82(c) and the entire record of the complaint, and after conducting a hearing pursuant to Practice Book §2-82(b) on May 3, 2006, the undersigned hereby APPROVE the *Conditional Admission*, a copy of which is attached hereto together with the *Affidavit* of the Respondent. Accordingly, the disposition agreed to by the Assistant Disciplinary Counsel and the Respondent in the above referenced matter and set forth in the *Conditional Admission* is hereby made an order of this reviewing committee. The reviewing committee considered the Respondent’s length of practice and lack of disciplinary history. The Respondent is reprimanded and ordered to attend in-person and at his own expense, a continuing legal education course in legal ethics. The course must consist of at least four credit hours and must be completed within six months of the issuance of this decision. The Respondent is further ordered to provide the Statewide Grievance Committee with written confirmation of his compliance with this condition within thirty (30) days of completion of the continuing legal education course.

So ordered.

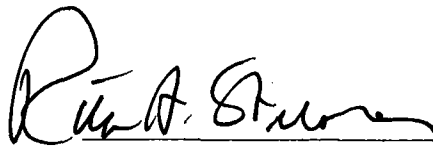
cc: Dr. Jeffrey Breiter  
Attorney Richard Conti

(B)  
asc

DECISION DATE: \_\_\_\_\_

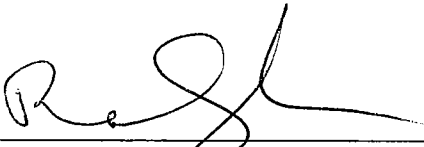
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Attorney Rita Steinberger

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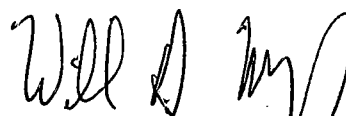
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Attorney Randy L. Cohen

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Mr. William D. Murphy

**STATEWIDE GRIEVANCE COMMITTEE**

GRIEVANCE COMPLAINT NO. 05-0677

JEFFREY BREITER, M.D.  
Complainant

v.

BRUCE BECK  
Respondent

**CONDITIONAL ADMISSION AND AGREEMENT AS TO DISPOSITION**

Pursuant to Practice Book § 2-82, the undersigned Respondent and Disciplinary Counsel stipulate and agree as follows:

1. This matter was instituted by grievance complaint filed by the Complainant on July 22, 2005.
2. On November 14, 2005, the Grievance Panel for the Judicial Panel of Hartford, / New Britain found probable cause that the Respondent violated Rules 1.7(b), Conflict of Interest, 1.8(f) Prohibited Transactions, 3.7 Lawyer as witness 4.1(a) Truthfulness in statements to others, and 8.1(1) Bar Admission and Disciplinary Matters.
3. The Respondent has tendered a conditional admission of fact in accordance with his affidavit attached hereto, admitting that he violated the Rules of Professional Conduct with respect to Rule 1.7 (b), Conflict of Interest and 8.1(1) Bar Admission and Disciplinary Matters, and agreeing that this matter be disposed of by a reprimand.
4. In addition to admitting the violation of the foregoing rules, Respondent has agreed with the Disciplinary Counsel that he will provide the Complainant with a written letter of apology, attend a 4 hour CLE course on legal ethics, and will make a \$2500.00 contribution to the charity of the Complainant's choice.

5. This grievance arose as the result of Respondent's representation of complainant in a divorce case beginning in February 1999. Respondent negligently drafted the paragraph in the separation agreement regarding the division of Dr. Breiter's retirement fund, such that the Complainant bore the risk of any decrease in the value of the fund between December 31, 1999 and the date of division of the asset by means of a QDRO. The fund decreased dramatically in value between December 31, 1999 and the date when the drafting error was discovered in February, 2001, and had decreased even more by the time it was divided.
6. Complainant's ex-wife moved to compel the enforcement of the separation agreement as drafted. Respondent referred the Complainant to Attorney John Droney for representation on the motion. However, Attorney Droney would not represent the Complainant with regard to any potential malpractice claim.
7. The Respondent failed to inform Dr. Breiter or Attorney Droney during the pendency of the motion to compel that he intended to assert a comparative negligence defense against Dr. Breiter in any malpractice claim arising from his negligent drafting of paragraph 8 of the Separation Agreement.
8. Attorney Droney defended Dr. Breiter at the hearing on the motion to compel, in which the Respondent also appeared and assisted by preparing pleadings and testimony. Respondent failed to state in his response to the grievance complaint that his testimony at the hearing regarding the preparation of Dr. Breiter's financial affidavit filed on December 22, 1999 was inaccurate and incomplete.
9. The court ruling on the motion to compel caused the Complainant to have to surrender the entire value of his retirement fund to his ex-wife, and to have to pay an additional \$66,000.00 out of his pocket to fulfill the terms as negligently drafted by the Respondent.


10. Respondent has been admitted to practice in Connecticut since 1973, does not have a disciplinary history, and assures Disciplinary Counsel that this is an isolated matter.
11. Disciplinary Counsel has agreed to recommend to the Statewide Grievance Committee that it issue a reprimand in this case.
12. In addition, Respondent agrees with the Disciplinary Counsel that he will personally attend a 4-hour CLE course on legal ethics within six months of the date of approval of this agreement and that he will notify the Disciplinary Counsel in writing of his completion of the course within 45 days. The Respondent also agrees to submit a letter of apology to the Complainant, and to make a charitable donation of \$2500.00 to the charity of the Complainant's choice, within 15 days of the date of approval of this agreement.
13. Complainant has been consulted as to the proposed resolution of this matter, and consents.

WHEREFORE, this matter is submitted to the Statewide Grievance Committee for its approval in accordance with Practice Book § 2-82 (b).

Office of Disciplinary Counsel

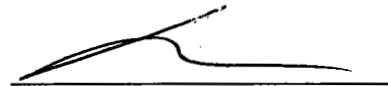
5/3/06  
Date

By:

  
Patricia King  
Assistant Disciplinary Counsel

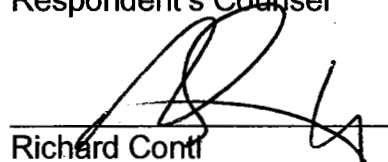
By: Respondent

5/3/06  
Date

  
Bruce Beck

By: Respondent's Counsel

5-3-06  
Date

  
Richard Conti



## AFFIDAVIT OF RESPONDENT

STATE OF CONNECTICUT)

**SS.**

COUNTY OF

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I am over the age of 18 and believe in the obligation of an oath.

**Pursuant to Practice Book §2-82, I make the follow affidavit:**

1. The Conditional Admission and Agreement as to Disposition attached hereto and made a part hereof is voluntarily submitted.
2. I herein consent to the form of discipline set forth in the Conditional Admission and Agreement as to Disposition and made a part thereof;
3. I am aware that I have a right to a full hearing on this matter and I waive that right by entering into this agreement.
4. I am represented by counsel in this matter.
5. I have been neither subject to coercion nor duress and I am fully aware of the consequences of this Affidavit and Conditional Admission.
6. I am aware of the current proceeding regarding my violation of Rules of Professional Conduct Rules 1.7(b), Conflict of Interest, 1.8(f) Prohibited Transactions, 3.7 Lawyer as witness 4.1(a) Truthfulness in statements to others, and 8.1(1) Bar Admission and Disciplinary Matters.
7. I admit that I violated the Rule 1.7 (b), conflict of interest in that I failed to disclose to Dr. Breiter or Attorney Droney during the pendency of the motion to compel that I intended to assert a defense of comparative negligence against Dr. Breiter in any

malpractice claim based upon my error in drafting paragraph 8 of the Separation Agreement.

8. I further stipulate to probable cause and agree that I violated Rule 8.1(1) Bar Admission and Disciplinary Matters in that I failed to disclose in my response to the grievance complaint that my testimony during the hearing on the motion to compel regarding the preparation of the financial affidavit filed on December 22, 1999 was inaccurate and incomplete.
9. I agree that the Statewide Grievance Committee may issue a reprimand in this case.
10. I further agree with the Disciplinary Counsel that I will personally attend a 4-hour CLE course on legal ethics within six months of the date of approval of this agreement and that I will notify the Disciplinary Counsel in writing of his completion of the course within 45 days. I also agree to submit a letter of apology to the Complainant, and I will make a charitable donation of \$2500.00 to the charity of the Complainant's choice within 15 days of the date of approval of this agreement.
11. The foregoing is true and accurate to the best of my knowledge and belief.

  
BRUCE BECK

Subscribed and sworn to before me

this 3<sup>rd</sup> day of May 2006.

  
Notary Public Richard L. Cont  
Commissioner of the Superior Court